

## **MINUTES**

### **UTAH PHYSICIANS LICENSING BOARD**

**September 12, 2007**

**Room 474 – 4<sup>th</sup> Floor –8:30 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 8:40 a.m.

**ADJOURNED:** 12:30 p.m.

**Bureau Manager:**  
**Secretary:**

Diana Baker  
Shirlene Kimball

**Conducting:**

George Pingree, MD

**Board Members Present:**

George Pingree, MD  
Lori Buhler, Public Member  
Richard Sperry, MD  
James Fowler, MD  
James Pingree, MD  
John Bennion, Ph.D., Public Member  
Elizabeth Howell, MD  
Michael Giovanniello, MD  
Stephen Lamb, MD

**Board Members Excused:**

Marc Babitz, MD  
Kristen Ries, MD

**Guests:**

Brock Niceler, U of U Family Medicine Resident

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

August 8, 2007 Minutes:

The minutes were approved with corrections. All Board members in favor.

##### **NEW BUSINESS:**

Administer Oath of Office and welcome New Board Members, James Pingree and Elizabeth Howell:

Ms. Baker administered the Oath of Office to Dr. James Pingree and Dr. Howell. Dr. Pingree and Dr. Howell were welcomed by Board members.

Agenda Review by Diana Baker:

Ms. Baker presented a brief overview of probationers and applicants meeting with the Board.

Divided into two groups:

Group 1:  
Minute Taker: Diana Baker

Layfe Anthony, MD  
Interview:

Members present: Dr. Sperry, Dr. Howell and Ms. Buhler

Dr. Anthony reported the medical spa where he was working as medical director has closed. He reported he continues to work at Davis County Jail 12 hours per week. However, his work at the jail is not supervised. Dr. Anthony stated that he is also working at a location in Bountiful as a family practice physician. Dr. Anthony will submit a new practice plan for the Board's review. Dr. Anthony did submit his triplicate copies of prescriptions and log, however, it was not possible to review these with the CS database at this time. Ms. Baker will review these at a later time and report back to the Board. Dr. Anthony is not in compliance at this time.

Philip Washburn, MD  
Interview:

Dr. Washburn submitted copies of the prescriptions he has written. The prescriptions he is writing in the office are sequentially numbered, but appear to be added with a typewriter rather than part of the printed form. He continues to have problems with the prescriptions he is writing at the hospital. He has not submitted the record review report. Dr. Washburn is out of compliance with the terms and conditions of his Order.

Group II  
Secretary: Shirlene Kimball

Members present: Dr. George Pingree, Dr. Fowler, Dr. James Pingree, Dr. Lamb, Dr. Bennion and Dr. Giovanniello.

Michael Goates, MD  
Interview:

Dr. Goates stated he has been working hard to remain clean. He reported he has not had a drink of alcohol since December 2006. He stated he is being very cautious and watches the food he eats and is careful with mouth washes and hand sanitizers so that his urine screen does not come up positive for alcohol. Dr. Goates clarified for Board members his response at the June 2007 Board meeting in regards to his May 25, 2007 positive urine screen for alcohol. At that meeting Dr. Goates had indicated he had a drink of his son's Kool-aid and ate kiwi fruit that was not quite ripe. He clarified that it was not Kool-aid, but apple juice. Dr. Howell questioned whether or not he is on Antabuse. Dr. Goates stated he was on Antabuse for a period of time, however, had to stop taking it because

of his cholesterol. Dr. Bennion questioned if he thinks about drinking. Dr. Goates stated it is always in the back of his mind, but attending meetings helps him stay clean. Dr. Goates appears to be in compliance with the terms and conditions of his Order.

Terrell Sellers, MD  
Interview:

Dr. Sellers indicated he is working as the medical director at a Medical Spa. He stated he hasn't done much yet because he needs additional training on lasers. Dr. Sellers appears to be in compliance with the terms and conditions of his Order.

Reconvened to full Board at 10:05 a.m.:

**TOTAL BOARD BUSINESS:**  
Report from Groups:

Layfe Anthony: Dr. Anthony needs to submit a new practice plan. Board members expressed concern that Dr. Anthony has not completed the retraining/reeducation that was outlined in the CPEP report. Dr. Anthony's probation is scheduled to end next year and Board members expressed concern that Dr. Anthony has not yet submitted objective evidence that he is competent to practice in the areas identified in the evaluation. He must address these areas before his probation can be terminated and it was suggested he return to CPEP to be reevaluated. Ms. Baker indicated the Order does not require him to be reevaluated and he would have to be willing to complete a reevaluation. Board members requested a letter be sent to Dr. Anthony and recommend he be re-evaluated by CPEP. The letter needs to indicate he will need to provide objective evidence that he is competent to practice.

Philip Washburn: Dr. Washburn continues to have problems with providing sequentially number prescriptions. He is having the most problems with the prescriptions written in the hospital. He is missing the record review report and continues to be out of compliance. Dr. Lamb recommended a letter be sent informing him that he has been out of compliance for the entire probation and he needs to take concrete steps to rectify the triplicate scripts issue and to submit record review reports.

Alan Heap:

Dr. Heap did not appear for his scheduled interview.

Roger Lewis:

Dr. Lewis did not appear for his scheduled interview.

Darrell Anderson:

Dr. Anderson was late for his appointment and was very upset. Dr. Anderson stated Dr. Mausberg has agreed to provide supervision and he provided the Board with a letter from Dr. Mausberg who indicated he is willing to provide supervision. Board members stated Dr. Mausberg will need to meet with Dr. Anderson weekly, and meet with the Board to make sure he understands the role of the supervisor. Dr. Anderson stated he is considering having a nationally known expert write a letter regarding the justification of the higher dose of medications he prescribes. Dr. Anderson stated he understands he needs to meet with the supervisor as soon as possible, have the supervisor submit a report prior to the next meeting, and have the supervisor available for the next meeting with the Board. Board members also indicated it would be helpful if he could get the letter of support from the national expert regarding his prescribing practice. Dr. Anderson is out of compliance with his order because he has been practicing without supervision from December 2006 until September 10, 2007.

Dr. Sperry and Dr. Howell reviewed the prescriptions written by Dr. Anderson. Dr. Howell expressed concern that the prescriptions were written for large amounts and it appears that all patients receive the approximately the same dose. Concern was also expressed that Dr. Anderson writes a lot of controlled substance prescriptions. Dr. Howell also expressed concern with the medications that Dr. Anderson receives from a nurse practitioner and a psychiatrist. There is concern about his physical and mental health. An Order to Show Cause Hearing has been filed, however, the referral for the Order to Show Cause Hearing was six months ago and the case still remains at the AG's office. In the meantime, Dr. Anderson continues to practice. Board members requested Ms. Baker communicate with the AG's office and request that the case be expedited.

Tao Li, MD  
New Applicant:

Board members interviewed Dr. Li by telephone. Dr. Li explained the circumstances regarding the number of attempts to pass the examination. Dr. Fowler made

a Motion to approved Dr. Li for licensure. Dr. Sperry seconded the Motion. All Board members in favor.

Brandon Bentz,  
New Order:

Dr. Bentz was excused and will be scheduled to meet with the Board next month.

Jason Church, MD  
New Practice Plan:

Dr. Church submitted a new practice plan for review. Dr. Church has acknowledged his addiction from the beginning, sought treatment and has completed his residency. He has been in compliance with the Order. Dr. Lamb made a Motion to approve the practice plan. Dr. Giovanniello seconded the Motion. All Board members in favor. Board members would like to meet with Dr. Allred, the supervisor.

Jerry Poulsen request for re-licensure:

Dr. Poulsen has requested his license be reinstated. Ms. Baker explained the circumstances regarding Dr. Poulsen and indicated he was practicing without a license, wrote prescriptions for known drug seeking individuals and did not keep patient records. Dr. Poulsen indicated he would like to work as a consultant for a national lap banding company. He stated he does not need a license for this position, but the company would like him to have a license. The original order required Dr. Paulsen to complete a CPEP evaluation, but he has not had the evaluation. Dr. Poulsen is requesting that in lieu of the CPEP evaluation he be allowed to take the ABBM certification test.

Dr. Pingree made a Motion to deny the request to take the ABBM certification test and Dr. Paulsen must complete the CPEP evaluation. Based on the results of that evaluation and after submission of an application for consideration, the board would make a recommendation regarding licensure. Dr. Howell seconded the Motion. All Board members in favor. Board members indicated it needs to be very clear to Dr. Paulsen that just because he completes the CPEP evaluation, it does not mean he will receive a license.

Election of Chair:

A Motion was made to reappoint Dr. Pingree as chairman through June. Dr. Babitz was voted as vice chair. The Motion was seconded. All Board members in favor.

Applications approved by the Division:

Daniel Cottam, MD  
Rahi Victory, MD  
Jason Hansen, MD  
Pegah Afra, MD  
Justin Young, MD  
Jennifer Boyden, MD  
Richard Toothman, MD  
Sahar Samaha, MD  
Vaseem Iqbal, MD  
Ai Sakonju, MD  
Amy Banks, MD  
Makoto Jones, MD  
Scott Welsh, MD  
David Fairbanks, MD  
Jeffrey Ekstrand, MD  
Gregory Nielsen, MD  
Scott Turner, MD  
Hal Astle, MD  
Michael Glantz, MD  
Karen Caldemeyer, MD  
Rebecca Phillips, MD  
Farhad Idjadi, MD  
Russell Miller, MD  
Steven Klomp, MD  
Mitchell Weinstein, MD  
Aleksandra Zabrocki, MD  
Magdalena Sikora, MD  
Taylor Kallas, MD  
Michael Grant, MD

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

October 10, 2007  
Date Approved

(ss) George Pingree  
George Pingree, MD Chair Physicians Licensing Board

October 10, 2007  
Date Approved

(ss) Diana Baker  
Diana Baker, Bureau Manager, Division of Occupational &  
Professional Licensing